

### **REMARKS**

This Response is in reply to the Office Action mailed on September 29, 2005. Claims 1-6 are amended and are pending. Claims 1 and 2 have been amended to more clearly recite the claimed invention. Claims 3-6 have been amended to delete the reference numerals from the claims. Consideration of the amendments to the claims and the following remarks is respectfully requested.

### **35 U.S.C. §103(a) Rejections**

Claims 1 and 5-6 stand rejected as obvious over Smith (U.S. Patent No. 3,420,376) or Reiner (U.S. Patent No. 3,767,050) in view of any one of Garrigos Ruiz (U.S. Patent No. 5,762,785), Mendelow (U.S. Patent No. 3,513,981) or Schneer (U.S. Patent No. 3,828,932). Claim 2 stands rejected as obvious over any combination of the above-mentioned references in view of Ibanez Sapina (U.S. Patent No. 6,173,743). Claim 3 stands rejected over any combination of the above-mentioned references in view of Edmiston (U.S. Patent No. 3,493,116). Claim 4 stands rejected over any combination of the above-mentioned references in view of Thiem (U.S. Patent No. 4,240,174) or St. Martin (U.S. Patent No. 4,581,075). The rejections are respectfully traversed for the reasons discussed below.

### **Rejection of claims 1 and 5-6**

Briefly, Applicant's invention, as recited in claim 1, is a swimming pool filter having a filter body formed by a casing with a top cover, and a footing equipped with a motor-driven pump. The

cover is structured and arranged so that it forms a water distributor which has separate compartments, has an opening that faces in an upward direction, and has lateral openings for water inflow and outflow. The distributor formed by the cover is closed with a rotatable sealing sub-cover that has separate compartments.

The references cited by the Examiner are all devoid of any teaching or suggestion that the distributor be closed by a rotatable, compartmented sealing subcover. Therefore, even if one were to combine the references cited by the Examiner, the result would not be the invention recited in claim 1. Specifically, the primary references, namely Smith and Reiner, do not show the distributor formed integrally with the top cover, let alone that the distributor is open in an upward direction and closed by a rotatable, compartmented sealing subcover. The Garrigos Ruiz reference also fails to teach a distributor formed by the top cover, let alone that the distributor is open in an upward direction and closed by a rotatable, compartmented sealing subcover. The Schneer and Mendelow references also do not disclose a distributor closed by a rotatable, compartmented sealing subcover. Therefore, for at least these reasons, independent claim 1 is patentable over the cited references. Furthermore, by reason of their indirect dependency from claim 1, claims 5 and 6 are also patentable. The Examiner is respectfully requested to withdraw the rejection of these claims.

### **Rejection of claim 2**

Claim 2 stands rejected under 35 U.S.C. §103(a) over any combination of the prior art references listed above and further in view of Ibanez Sapina. Claim 2 has been amended to more

clearly recite the claimed invention. The Examiner's rejection is respectfully traversed.

Claim 2 is patentable over the prior art for at least the reason of its dependency from claim 1. All of the prior art references, including Ibanez Sapina, are devoid of the teaching that the distributor is closed by a rotatable, compartmented sealing subcover. A further distinction between the invention recited in claim 2 and the combination of the cited references, is that claim 2 requires that the subcover be stabilized in its different positions by means of a plurality of peripheral projections structured and arranged to selectively fit into a socket which is integral with the cover in the vicinity of its open top. The plurality of projections stabilize the subcover at its various positions. In contradistinction, the single piece (35) in the Ibanez Sapina reference assures closure of the distributor (col. 4, line 20). It does not stabilize the subcover at its various positions, nor does the reference suggest such a use. Therefore, even if one were to combine any of the prior art references listed above with the Ibanez Sapina reference, the result would not be the claimed invention. For at least these reasons, the Examiner is respectfully requested to withdraw the rejection of claim 2.

### **Rejection of claim 3**

Claim 3 stands rejected over any combination of the above-mentioned references in view of Edmiston. Claim 3 is patentable over the prior art for at least the reason of its dependency from claim 1, which is patentable, as discussed above. All of the prior art references, including Edmiston, are devoid of the teaching or suggestion that the distributor is closed by a rotatable, compartmented

sealing subcover. Accordingly, it is respectfully requested that the Examiner withdraw the rejection of claim 3.

#### **Rejection of claim 4**

Claim 4 stands rejected over any combination of the above-mentioned references in view of Thiem and St. Martin. Claim 4 is patentable over the prior art for at least the reason of its indirect dependency from claim 1, which is patentable, as discussed above. All of the prior art references, including Thiem and St. Martin, are devoid of the teaching or suggestion that the distributor be closed by a rotatable, compartmented sealing subcover.

Claim 4 is also patentable over the cited reference for an additional reason. Briefly, and in relevant part, claim 4 requires that the body have a footing equipped with a motor driven pump and that the liquid distributor, the cover, the casing and the footing are in a vertically aligned relationship with each other. In contradistinction, the motor and pumps of Thiem and Martin are not vertically aligned with the casing. Nor is there any suggestion to make such an alignment. Therefore, even if one were to combine any combination of the prior art references listed above with the Thiem or St. Martin references, the result would not be the claimed invention.

Claim 4 also requires that the casing has handles. All the references cited by the Examiner are devoid of a teaching or suggestion that the casing have handles. Therefore, claim 4 is patentable over the cited references.

For at least these reasons, the Examiner is respectfully requested to withdraw the rejection

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of claim 4.

**CONCLUSION**


In view of the amendments to the claims 1-6 made herein and the arguments presented above, it is submitted that the Examiner's rejections have been overcome and should be withdrawn. The application should now be in condition for allowance.

Should any changes to the claims and/or specification be deemed necessary to place the application in condition for allowance, the Examiner is respectfully requested to contact the undersigned to discuss the same.

This Response is being timely filed. In the event that any other extensions and/or fees are required for the entry of this Amendment, the Patent and Trademark Office is specifically authorized to charge such fee to Deposit Account No. 50-0518 in the name of Steinberg & Raskin, P.C. An early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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